IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER NO.199 OF 2004

For Approval and Signature:

HON'BLE MR.JUSTICE RAVI R.TRIPATHI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

VANKAR HARIJAN KALA MASARI VALA

Versus

HADI HARIJAN DAYA PARBAT PARMAR & ORS.

Appearance:

1. Appeal from Order No. 199 of 2004

MR. R.C. KAKKAD for Appellant

RULE SERVED for Respondent Nos. 1-8

MR. P.J. KANABAR for Respondent Nos. 9-10

CORAM : HON'BLE MR.JUSTICE RAVI R.TRIPATHI

Date of decision: 05/08/2004

ORAL JUDGEMENT

1. This Appeal From Order is filed being aggrieved of order dated 27th May, 2004 passed by the learned Civil Judge (S.D.), Veraval below Exh.5-Application in Special Civil Suit No.21 of 2004 whereby the learned Judge rejected e Exh.5-Application.

2. Heard the learned Advocates for the parties.

3. After the learned Advocates for the parties were

heard for some time, it is deemed fit that interest of justice will be best served if the learned Judge is directed to give priority to the hearing of Special Civil Suit No.21 of 2004 and decide the same as expeditiously as possible. In view of that the following directions are issued:

(i) The learned Judge is directed to give priority to the hearing of Special Civil Suit No.21 of 2004, and decide the same as early as possible, but, not later than 31st March, 2005.

This direction is given on an assurance given by the learned Advocates appearing for the parties that their counterparts will extend full cooperation to the learned Judge to enable him to decide the suit in the aforesaid time frame and they will not be seeking any avoidable adjournment.

(ii) Civil application No.4669 of 2004 was heard and disposed of on 16th July, 2004 directing the parties to maintain the status quo granted earlier till the final disposal of the Appeal From Order. It is directed that both the parties shall maintain status quo qua the suit land till the final disposal of the suit.

With the aforesaid directions, the Appeal From Order is disposed of with no order as to costs.

(Ravi R. Tripathi, J.)
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